

HOUSE OF REPRESENTATIVES
NATURAL RESOURCES
COMMITTEE
ROLL CALL

DATE: 1.28.05

NAME	PRESENT	ABSENT	EXCUSED
Chairman, Jim Peterson	✓		
Vice Chair, Rep. Jack Ross	✓		
Vice Chair, Chris... Harris	✓		
Rep. Debby Barrett	✓		
Rep. Norma Bixby	✓		
Rep. Dee Brown	✓		
Rep. Paul Clark	✓		
Rep. Sue Dickenson	✓		
Rep. George Everett	✓		
Rep. Gail Gutsche	✓		
Rep. Ralph Heinert	✓		
Rep. Kevin Furey	✓		
Rep. Llew Jones	✓		
Rep. Mike Jopek	✓		
Rep. Carol Lambert	✓		
Rep. Rick Maedje	✓		
Rep. V. Small-Eastman	✓		
Rep. Dave Wanzenried	✓		



HOUSE STANDING COMMITTEE REPORT

January 31, 2005

Page 1 of 1

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **House Bill 236** (first-reading copy - white) do pass as amended.

Signed: _____

Jim Peterson
Representative Jim Peterson, Chair

And, that such amendments read:

1. Page 2, line 24.

Following: "report to"

Strike: "the" through "periodically"

Insert: ":

(A) the department on a periodic basis;
(B) the environmental quality council annually; and
(C) the natural resources and commerce appropriations
subcommittee each legislative session"

- END -

Committee Vote:
Yes 17, No 1.

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11/31/05
Jim



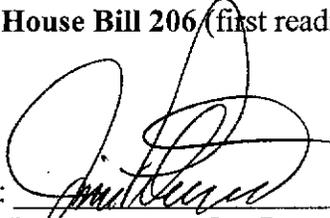
HOUSE STANDING COMMITTEE REPORT

January 31, 2005

Page 1 of 1

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **House Bill 206** (first reading copy - white) do pass as amended.

Signed: 

Representative Jim Peterson, Chair

And, that such amendments read:

1. Title, page 1, line 9.

Strike: "BE PAID FOR BY THE PETITIONERS"

Insert: "ARE"

2. Page 6, line 21.

Following: "drilling"

Insert: ", unless the well is regulated pursuant to Title 82, chapter 11"

3. Page 7, line 6 through line 7.

Strike: "The" on line 6 through "study." on line 7

- END -

Committee Vote:

Yes 17, No 1.

240858SC.hkh

1/31/05
Jim



HOUSE STANDING COMMITTEE REPORT

January 31, 2005

Page 1 of 3

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **House Bill 57** (first reading copy -- white) do pass as amended.

Signed:


Representative Jim Peterson, Chair

And, that such amendments read:

1. Page 16, line 19.
Following: "individual"
Strike: "or"
Insert: ", "
2. Page 16, line 24.
Following: "sole"
Strike: "judicial"
3. Page 16, line 26.
Following: "Claims"
Insert: "must be submitted on a form approved by the department and"
4. Page 16, line 27.
Following: "obtained."
Insert: "Receipts for service must be included with the claim."
5. Page 16, line 29.
Strike: "state" through "action"
Insert: "private response"
6. Page 16, line 30.
Strike: "Prior" through "part,"
Insert: "At the time the department conducts the good faith investigation required under 75-10-745,"

Committee Vote:

Yes 10, No 8.

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1/31/05
jhp

7. Page 17, line 2 through line 3.

Following: "in" on line 2

Strike: remainder of line 2 through "recovery" on line 3

Insert: "an"

8. Page 17, line 11.

Insert: "(3) The potentially liable person may question whether the claimant has selected a reasonable alternative and may provide information to the department documenting its conclusions as to why a selected alternative is not reasonable. The department may use this information to adjust the claim."

Renumber: subsequent subsections

9. Page 17, lines 17 and 18.

Strike: ", must" on line 17 through "percentages" on line 18

Insert: "for each claim, must be paid in the same proportion as the proportion of the total amount sought in the complaint or order bears to the amount recovered"

10. Page 17, line 19.

Following: "interest."

Insert: "Interest accrues at the rate prescribed in 25-9-205 upon approval of the claim by the department."

11. Page 17, line 25.

Insert: "(9) The department is not liable for reimbursing a liable or potentially liable person under 75-10-715 for a claim that is later determined to have been fraudulent or noncertifiable and is not responsible for seeking reimbursement of the claim from the claimant. The person who paid the claim may seek reimbursement from the claimant."

12. Page 20, line 11

Strike: "6(7)"

Insert: "6(8)"

13. Page 20, line 12.

Strike: "and" through "costs"

14. Page 20, lines 13 and 14.

Strike: "and" on line 13 through "costs" on line 14

Following: "department" on line 14

Insert: "and may require the payment of private response costs, including interest"

15. Page 20, line 22

Strike: "6(7)"

Insert: "6(8)"

16. Page 22, lines 14 and 15.

Strike: ":" on line 14 through "(i)" on line 15

17. Page 22, line 15 through line 16.

Strike: "or" on line 15 through "costs;" on line 16

18. Page 22, line 19.

Strike: "and" through "costs"

19. Page 23, line 3.

Following: "expenses."

Insert: "However, if all the state's remedial action costs, interest, and penalties, if any, are paid by the liable person and the only outstanding costs are private response costs, the department is not required to bring an action to recover the private response costs."

- END -

HOUSE OF REPRESENTATIVES
 NATURAL RESOURCES COMMITTEE
ROLL CALL VOTE

DATE: 1.28.05 BILL NUMBER: #B303
 MOTION/MOTION NUMBER: Do pass

NAME	AYE	NO	PROXY
Vice Chair, Rep. Jack Ross		✓	
Vice Chair, Rep. Chris Harris	✓		
Rep. Debby Barrett		✓	
Rep. Rick Maedje		✓	
Rep. Kevin Furey	✓		✓
Rep. Mike Jopek	✓		✓
Rep. George Everett		✓	
Rep. Norma Bixby	✓		
Rep. Sue Dickenson	✓		
Rep. Dave Wanzenried	✓		
Rep. Carol Lambert		✓	
Rep. Llew Jones		✓	
Rep. Gail Gutsche	✓		
Rep. V. Small-Eastman	✓		
Rep. Ralph Heinert		✓	
Rep. Dee Brown		✓	✓
Rep. Paul Clark	✓		
Chair, Rep. Jim Peterson		✓	

VOTE TOTAL: 9.9 tie (3 proxy)

HOUSE OF REPRESENTATIVES
 NATURAL RESOURCES COMMITTEE
ROLL CALL VOTE

DATE: 1.28.05 BILL NUMBER: HB 293
 MOTION/MOTION NUMBER: Do pass as amended

NAME	AYE	NO	PROXY
Vice Chair, Rep. Jack Ross		✓	
Vice Chair, Rep. Chris Harris	✓		
Rep. Debby Barrett		✓	
Rep. Rick Maedje		✓	
Rep. Kevin Furey	✓		✓
Rep. Mike Jopek	✓		✓
Rep. George Everett		✓	
Rep. Norma Bixby	✓		
Rep. Sue Dickenson	✓		
Rep. Dave Wanzenried	✓		
Rep. Carol Lambert		✓	
Rep. Llew Jones		✓	
Rep. Gail Gutsche	✓		
Rep. V. Small-Eastman	✓		
Rep. Ralph Heinert		✓	
Rep. Dee Brown		✓	✓
Rep. Paul Clark	✓		
Chair, Rep. Jim Peterson		✓	

VOTE TOTAL: 9.9 tie (3 proxy)

HOUSE OF REPRESENTATIVES
 NATURAL RESOURCES COMMITTEE
ROLL CALL VOTE

DATE: 1.28.05 BILL NUMBER: HB57
 MOTION/MOTION NUMBER: Do pass as amended

NAME	AYE	NO	PROXY
Vice Chair, Rep. Jack Ross		✓	
Vice Chair, Rep. Chris Harris	✓		
Rep. Debby Barrett		✓	
Rep. Rick Maedje	✓		
Rep. Kevin Furey	✓		✓
Rep. Mike Jopek	✓		✓
Rep. George Everett		✓	
Rep. Norma Bixby	✓		
Rep. Sue Dickenson	✓		
Rep. Dave Wanzenried	✓		
Rep. Carol Lambert		✓	
Rep. Llew Jones		✓	
Rep. Gail Gutsche	✓		
Rep. V. Small-Eastman	✓		
Rep. Ralph Heinert		✓	
Rep. Dee Brown		✓	
Rep. Paul Clark	✓		
Chair, Rep. Jim Peterson		✓	

VOTE TOTAL: 10.8

D. Brown

COMMITTEE PROXY

DATE: 1.28.05

I request to be excused from the Natural Resources

Committee because of other commitments. I desire to leave my proxy vote with:

Rep Ross

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT AYE NO

SENATE BILL/AMENDMENT AYE NO

1/28/05	HB293-01	✓	
✓	HB293 amended		✓
✓	HB 303		✓

Rep/Sen. D. Brown (Signature)

COMMITTEE PROXY

DATE: 1.28.05

I request to be excused from the NATURAL RESOURCES COMM.

Committee because of other commitments. I desire to leave my proxy vote with:

REP HARRIS

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT AYE NO

SENATE BILL/AMENDMENT AYE NO

HB 303	✓	
HB 293	✓	
HB 57	✓	

Rep./Sen. J. Mike Lopez
(Signature)

COMMITTEE PROXY

DATE: 1-28-05

I request to be excused from the NATURAL RESOURCES COMM.

Committee because of other commitments. I desire to leave my proxy vote with:

REP HARRIS

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT AYE NO

HB 303	✓	
HB 293	✓	
HB 57	✓	

SENATE BILL/AMENDMENT AYE NO

Rep./Sen. Kevin J. Farley
(Signature)

VISITORS REGISTER

Montana

House of Representatives

NATURAL RESOURCES COMMITTEE

Date: January 28, 2005 Bill Number: **HB 403**

Sponsor: Rep. M. Jopek

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Name	Representing	Support	Oppose	Informational
Terry Lindsay	Montana Waterwell		X	
LINDA LINDSAY	Self (Realtor)		X	
Matt Clifford	Clark Farm Cultim	X		
M.S. KAKUK	M.A. Realtor	X	✓	X
TIM DAVIS	M.S.G.C.	✓		
Delight Gollahan	Self + family		X	
LINDA STELL	MONTANA ^{HEALTH} LOCAL OFFICERS	✓		
JACK STULTS	DNRC / WATER			✓
John Wilson	Montana Trout Unlimited	✓		
Gregory Sullivan		✓		

Please leave prepared testimony with Committee Secretary. Witness Statement forms are available if you care to submit written testimony.